

Application No. 09/747,671
Reply to Office Action dated- June 30, 2005

REMARKS

Although the Examiner has relied upon the Deutch, et al. reference, U.S. Patent No. 5,577,115, it is not listed on the PTO-892 forms provided by the Examiner. Applicant respectfully requests that the Examiner make this reference of record.

Claims 1, 2, 4-6, and 10-19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Deutch, et al. U.S. Patent No. 5,577,115 (herein after referred to as '115).

Claim 1 requires, a communications module comprising *inter alia*, a modem output for passing the voice and data services to a modem; and a modem input for receiving only the voice service from the modem. The '115 reference teaches an interface adapter which includes an interface adapter switch controlled by a microprocessor 41 that performs two functions. First, the interface adapter switch protects the customer premise equipment (CPE) from damage in those instances where a non-standard network interface is connected to the CPE. Second, it routes the signals from the network interface in response to signals produced by the CPE. Specifically, if power associated with analog services is detected or power associated with the standard ISDN service is detected, the microprocessor 41 recognizes that the network is either the standard ISDN T interface, U interface, or an analog line and controls switches 51 in response to the detected interface/line. The microprocessor 41 detects predetermined signal characteristics that distinguish between the standard T and U interfaces and configures switch matrix 43 based on those characteristics. In the event of a U or T interface, the two B-channels and D-channel from the digital subscriber line 13 are de-multiplexed into separate paths 16, 17, and 18 by a splitter/combiner 19. A codec 20 converts a digitized speech signals on these paths to analog signals for transmission to either a speaker 27 or a handset 22. Data services along the B-channels travel through a station set controller 26 out to a data terminal 28. A modem 34 connects the terminal 28 to an analog circuit which receives service through the interface recognition switch 40.

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The Examiner's reading of claim 1 on the '115 reference is misguided as the reference does not contain all the elements of the claim. Although the Examiner points to a "modem input for receiving voice services from the modem" claim 1 requires that this modem input is for receiving only the voice service from the modem input. The '115 reference in contradistinction teaches customer premises equipment which passes an analog circuit 29 through a modem 34 to a terminal 28. In the Examiner's response to arguments, paragraph 4, he points to this analog circuit from the modem 34 to the terminal 38 for a teaching of the modem input for receiving only voice service from the modem output. The modem is essentially connected in parallel with the speaker or handset in order to receive and pass data, not voice service to the terminal 28. It does not teach nor suggest a communications module which passes both voice and data services to a modem and receives only voice services from the modem essentially connected in series with a premise output for receiving only the voice service from the modem. The present invention dispenses with the need for the parallel lines of '115 running to the speaker or handset therefore providing a patentably distinct improvement over '115. While the '115 reference shows directing B-channel data services along one path and B-channel voice services along another path, it does not teach nor suggest a module which allows both servers to pass through a modem and be filtered in the modem such that only the voice services exit from the modem to a premise output. For these reasons, Applicant contends that claim 1, is distinguishable from the '115 reference and that the '115 reference does not teach nor suggest the combination of elements as recited in claim 1. Reconsideration and withdrawal of the rejection as it relates to claims 1, 2, 4, and 5 is respectfully requested.

Claim 6 requires a communication module comprising *inter alia*, a modem output for passing selected ones of the communication lines to a modem; a modem input for receiving the selected ones of the communication lines from the modem; and a security interface for passing a selected communication line to a security system... Not only does the '115 reference not teach nor suggest a security system interface, it fails to teach or suggest a single communications module which has a modem output for passing selected ones of the communication lines to a modem and a modem input for receiving the selected ones of the communication lines from the modem. The Examiner's reliance on element 50 in '115 for both the modem output and the

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modem input is misguided since the element 50 merely represents an output of tip and ring signals from the interface recognition switch and modem is connected in parallel with the analog circuit output to the speaker 27. Having separate modem output and inputs on the communication module as claimed in claim 6 results instead in a series arrangement whereby the selected ones of the communication lines pass first through the modem then to the premise output. Reconsideration and withdrawal of the rejections of claims 6 and 10 is respectfully requested.

With regard to claims 12-16 the Examiner in his rejection points to a modem interface means, however the present claim 12 as amended in the last office action does not recite a modem interface means but instead recites a filter interface means. The Examiner has not shown any such filter interface means in the reference and therefore the rejection of claims 12-16 should be withdrawn. Additionally, applicant respectfully contends that the '115 reference does not teach nor suggest a security system interface means connected between a filter interface means and the output means.

With regard to claims 17-19, claims 17 and 18 are cancelled and claim 19 has been amended to recite that the step of filtering comprises sending the combined voice and data signals from the module to a modem and sending only the voice signals from the modem back to the module. Applicant contends that the '115 reference does not teach nor suggest filtering in the modem and sending back only the voice signals to the module. In contradistinction, the '115 reference teaches passing data signals to a terminal as discussed above. Claim 17 is therefore patentably distinct from the '115 reference and reconsideration is requested.

Claims 7 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over '115. The Examiner asserts that although the '115 reference does not specially teach four communications lines to comprise four twisted pair lines bundled in a cable, it would have been obvious to a person of ordinary skill in the art at the time of the invention to use communications lines that would comprise four twisted pair lines bundled in a cable. Claim 7 depends from independent claim 6. For the reasons discussed above, elements of claim 6 are neither taught nor

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suggested by the '115 reference namely, a modem output for passing selected ones of the communication lines to a modem: a modem input for receiving the selected ones of the communication lines from the modem: and a security interface for passing a selected communication line to a security system... Therefore, a *prima facia* case of obviousness has not been presented by the Examiner and reconsideration is respectfully requested.

As to claim 9, the Examiner asserts that although the '115 reference does not specifically teach using an RJ-45 connector for the modem output, since the '115 reference teaches using RJ-45 connectors for releasable interfacing components for other connections, it would have been obvious to person of ordinary skilled in the art at the time of invention to use an RJ-45 connector for the modem output. Claim 9 depends from 8 which depends from independent claim 6. Elements of claim 6 are neither taught nor suggested in the '115 reference as discussed above, namely, a modem output for passing selected ones of the communication lines to a modem: a modem input for receiving the selected ones of the communication lines from the modem: and a security interface for passing a selected communication line to a security system... Therefore, a *prima facia* case of obviousness has not been presented by the Examiner and reconsideration is respectfully requested.

Claim 3 is rejected under 35 U.S.C. § 103 as being unpatentable over '115 in view of DSL tutorial. Since claim 3 depends from claim 1 and since the '115 reference lacks a teaching or suggestion of a modem output in combination with the modem input for receiving only the voice service from the modem as discussed above, the Examiner has not made a *prima facia* case of obviousness in rejecting claim 3. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Claim 8 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over '115 over in view of Mano U.S. Patent No. 5,187,705 (hereinafter referred to as "705). The Examiner's reliance on the '705 reference is misguided since he asserts that it would have been obvious to a person of ordinary skill of the art at the time of the invention to use a loop-back test upon detecting an error such as a disconnected modem in the invention of '115. The claimed

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invention as recited in claims 6 and 8 does not rely upon or recite the requirement of a loop-back test to detect an error such as a disconnected modem. No such testing is required by the claims as they simply require that the modem output is configured to pass selected ones of the communication lines to a connected modem and configured to pass selected ones of the communication lines directly to the modem input when the modem is disconnected. As recited on page 7 of the specification beginning at line 5, this can be accomplished by either utilizing a switching receptacle connector such as RJ-11 which is configured to close a switch between J2 and J3 when the plug connected to the modem 50 is removed from J2 or may alternatively be accomplished utilizing a jumper between J2 and J3 when the modem is removed. Additionally, as discussed above, required elements of claim 6, namely a modem output for passing selected ones of the communication lines to a modem: a modem input for receiving the selected ones of the communication lines from the modem: and a security interface for passing a selected communication line to a security system... are neither taught nor suggested by the '115 reference. Reconsideration and withdrawal of rejection under 35 U.S.C. § 103(a) of claim 8 is therefore respectfully requested.

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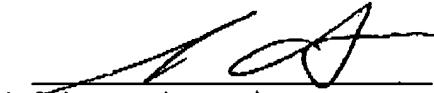
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Conclusion

For all of the foregoing reasons and in view of the foregoing remarks, Applicants respectfully contend that the application is now in condition for allowance. Reconsideration and passage to issue therefore requested. Please charge any additional requisite fees relating to this amendment and response to Deposit Account No. 501581.

Respectfully submitted,



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